

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

RICHWOOD AREA COMMUNITY HOSPITAL

Case No. 2:08-bk-20637  
Chapter 7

Debtor.

**ORDER AUTHORIZING OPERATION OF DEBTOR'S BUSINESS NUNC PRO TUNC;  
ESTABLISHING DEADLINE FOR OBJECTIONS TO USE OF CASH COLLATERAL**

At Charleston, in said district, on the 22<sup>nd</sup> day of August, 2008:

Appearances: Steven L. Thomas, Kay Casto & Chaney PLLC on behalf of Thomas H. Fluharty, Chapter 7 Trustee  
William F. Dobbs, Jr., Jackson Kelly PLLC on behalf of the Bank of New York Mellon Trust Company, N.A.

On this day, the Court considered the Trustee's **MOTION FOR ORDER (i) AUTHORIZING THE TRUSTEE TO OPERATE THE DEBTOR'S BUSINESS PURSUANT TO 11 U.S.C. §721 NUNC PRO TUNC TO JULY 1, 2008; (ii) AUTHORIZING THE TRUSTEE TO USE CASH COLLATERAL PURSUANT TO 11 U.S.C. § 363 (c); AND (iii) SCHEDULING AN EXPEDITED HEARING TO ALLOW INTERIM USE OF CASH COLLATERAL** (the "Motion"). Upon consideration of the Trustee's Motion, the Court finds that cause exists to authorize the Trustee to operate the Debtor's business pursuant to 11 U.S.C. §721 on a limited basis for a limited time, *nunc pro tunc* to July 1, 2008. For the foregoing reasons, it is accordingly

**ORDERED** that the Trustee is hereby authorized to operate the Debtor's business on a limited basis for a limited time pursuant to 11 U.S.C. §721, *nunc pro tunc* to July 1, 2008, (i) to allow the Debtor to complete the work necessary to code and otherwise process for payment all unbilled claims identified on Exhibit D to the Trustee's Motion, to post cash receipts to patient accounts and to pay for the wage and benefit costs for this work from July 1, 2008, (ii) to utilize and pay for use of billing software provided by Quadax, Inc., (iii) to pay those amounts necessary to enable the Trustee to maintain appropriate insurance coverage for the estate's assets, (iv) to pay for utilities and office supply costs necessary for the scope of operations described in this Order, and (v) to administer medical records to the extent necessary to discharge the Trustee's duties pursuant to Bankruptcy Code §351. And it is further

**ORDERED AND NOTICE IS HEREBY GIVEN** that if any party in interest objects to entry of the Consent Order Authorizing Use of Cash Collateral And Granting Related Relief, which was entered by the Court on August 27<sup>th</sup>, 2008, such objections must be filed with the Court on or before September \_\_\_\_, 2008, with a copy served on the following:

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If one or more objections to the Trustee's Motion are filed by September \_\_\_\_, 2008, the Court will schedule a hearing to consider any timely filed objections.

**ENTERED:** \_\_\_\_\_

\_\_\_\_\_  
Ronald J. Pearson, Judge

PREPARED BY:

/s/Steven L. Thomas  
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